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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,861	06/28/2001	Anthony F. Istvan	DIGE12366	5363
47053	7590	03/23/2006	EXAMINER	
CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC			BROWN, RUEBEN M	
1420 FIFTH AVENUE			ART UNIT	
SUITE 2800			PAPER NUMBER	
SEATTLE, WA 98101-2347			2623	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/895,861

Applicant(s)

ISTVAN ET AL.

Examiner

Reuben M. Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11 and 13-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1, 3-11 & 13-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)- | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/11/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/9/2006 have been fully considered but they are not persuasive. With respect to Ellis, applicant argues that the references do not teach the claimed feature of, 'the plurality of client system being logical extensions of each other'. Examiner respectfully disagrees and points out that such a feature is broad enough to read on the client systems interacting with each other or sharing information, see Ellis page 21, lines 24-30. It is pointed out that the independent claims do not recite any parameter or constraint that defines "logical extension".

On page 8, applicant discusses that Ellis provides for various topologies that allow the client systems to communicate with one another, but still argues that these do not represent "logical extensions of each other". Examiner respectfully disagrees, and furthermore points out that in Ellis any one of the devices may operate as a master or primary device, which then controls the settings on one or more other devices, which clearly reads on the claimed "logical extension".

On page 8, applicant also disagrees with the previous rejection that a user name reads on the claimed "user object", as rejected in claims 3 & 13. Again, it is pointed out that the claim does not recite any limiting features of the claimed 'user objects'. With respect to claims 4 & 14,

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applicant argues that Ellis does not teach the limitation. However, Ellis clearly teaches that a user may change the configurations of a user object on a plurality of devices, see page 25, lines 15-33. With respect to claims 6 & 16, the master device coordinating the settings on all of the devices reads on a user object being concurrently active on one or more devices.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-11 & 13-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ellis, (WO 00/04707).

Considering claims 1, the claimed system for viewing multimedia content, the system comprising;

‘a communication network’, and ‘a content & a broadcast center coupled to the communication network’, reads on the disclosure in Ellis that a local network of user equipment (set top boxes 60-68 & 81-83), is connected to a CATV headend via a server 80; Fig. 5; page 18,

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lines 5-22. The CATV headend meets the claimed 'broadcast center' and is inherently connected to a plurality of 'content sources'. Furthermore the CATV distribution system in Ellis reads n the claimed 'communication network'.

'a plurality of client systems coupled to the broadcast center, wherein the plurality of client systems is associated with a household, and are logical extensions of each other', is met by the local area network discussed in Ellis, which teaches that multiple set top box 60-68, are connected to a server 80, within a single customer premise 65, Fig. 5 & 6. Ellis also teaches that the user TV devices are enabled to communicate with each other; page 20, lines 1-5.

Considering claims 3 & 13, the claimed 'plurality of objects associated with a plurality of client systems', is met by the disclosure in Ellis of the EPG that enables a parent to name and associate characteristics to each of the rooms in a household, see pages 24-26.

Considering claims 4 & 14, the claimed feature of the 'system being configured to be selectively accessed by a user to change a configuration of a user object, such that the system is configured to provide the change to all of the client systems without further activity from the user', is met by the disclosure of Ellis of the parent changing the settings on the STB's in the household, page 25-26 & Fig. 13-15. 'Selectively', reads on requiring a password, as taught in Ellis.

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Considering claim 5 & 15, the claimed feature is met by the discussion Ellis, that new user equipment maybe added to the system, see page 25, lines 6-30.

Considering claims 6 & 16, the claimed feature of the 'a user object of the plurality of user objects can be concurrently active in more than one client system', also reads on the centralized control of the plurality of client systems, as taught by Ellis, page 24, lines 7-25. In particular, since the master program is active and configuring setting in multiple devices, in Ellis, the claimed recitation is met, also page 5, lines 1-18.

Considering claims 7 & 17, the claimed 'anonymous user object, such that the anonymous user object is configured to be accessible to all users', is met by the interactive EPG 173, for instance shown in Fig. 12, which can be accessed by all the users, see page 23, lines 29-35 thru page 24, lines 1-6; page 27, lines 1-7.

Considering claims 8 & 18, the claimed feature of the 'server operatively coupled to the access means, and configured to include information related to each user object', is met by the discussion in Ellis, that using the master device, the primary use may adjust the controls and settings for all of the other devices, see page 24, lines 8-35 thru page 25, lines 1-34.

In particular, both primary user equipment 60 and the server 80, read on the claimed server, (Figs. 3-5 & Fig. 7a; page 16, lines 17-35; page 18, lines 5-22; page 19, lines 17-35). The

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claimed feature of ‘including information related to each user of the plurality of user objects’, reads on the master device controlling all of the other devices.

Considering claims 9 & 19, the claimed ‘revision history, which includes configuration changes of the plurality of objects’, reads on the disclosure in Ellis of adjustments made to the screen settings of each of the set top boxes, page 5 & page 32, lines 1-10.

Considering claims 10 & 20, the claimed ‘ticket number associated with each configuration change’, is broad enough to read on the disclosure of Ellis, that a unique number may be provided by the program guide, so that the user may access the guide settings from remote locations, page 26, lines 25-30. The user’s guide settings are revised based upon the user’s adjustments.

Considering claim 11, the claimed system for viewing multimedia, the system comprising:

‘source means for providing multimedia content and distribution means for distributing multimedia content from the source’, is met by the sources of video programming and the TV distribution facility 38, page 12, lines 1-35.

‘network means for supporting communication between the source and distribution means’, is inherent in Ellis.

‘plurality of access means, coupled to the distribution means, for selectively providing access to the multimedia content, such that the plurality of access means is associated with a household and are logical extensions of each other’, is met by the plurality of set top boxes 60-70 & 81-83, (Fig. 3-5; Fig. 7; page 16-19).

Considering newly added claim 21, the claimed method for viewing content delivered to a client system, comprising:

‘associating a plurality of client systems with a household and organizing the plurality of client systems into logical extensions of each other’, is met by the disclosure of Ellis, (Fig. 3-5; Fig. 7; page 16-19).

‘delivering content from a content source via a communication network to at least one of plurality of clients systems’, is met by the disclosure of Ellis, page 12, lines 5-25.

Considering claim 22, the claimed feature of ‘associating a plurality of user objects with the household, such that each user object contains information related to a user in the household’, is broad enough to read on the discussion in Ellis of user-defined device names, such as ‘parents room’, ‘children’s room’, etc. see page 25, 5-34.

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‘providing the plurality of user objects to all of the plurality of client systems’, is broad enough to read on each user equipment or set top box displaying an EPG, see pages 24-25 & Fig. 10-13.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7290 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown

 **HAITRAN
PRIMARY EXAMINER**